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OFFICE OF PETITIONS

In re Application of :
Farm et al. : DECISION ON PETITION
Application No. 10/516,857 :
Filed: December 3, 2004 :
Atty Docket No. P/1228-189 :

This is a decision on the PETITION TO WITHDRAW NOTICE OF ABANDONMENT filed April 9, 2007.

The above-identified application became abandoned for failure to file a timely and proper reply to the non-final Office action mailed June 27, 2006. This Office action set a shortened statutory period for reply of three (3) months, with extensions of time obtainable under § 1.136(a). No reply considered filed and no extension of time considered obtained, the application became abandoned effective September 28, 2006. A courtesy Notice of Abandonment was mailed on March 27, 2007.

Petitioner states that in response to the Office action (specifically, an Amendment/Submission and attached Replacement Sheet) was timely filed electronically on September 25, 2006. In support thereof, petitioner submits a copy of the amendment.

Petitioner's evidence has been reviewed, and is persuasive. However, consideration of their evidence is unnecessary. Their response, as noted by petitioner, is present in the application with a date of receipt of September 25, 2006.

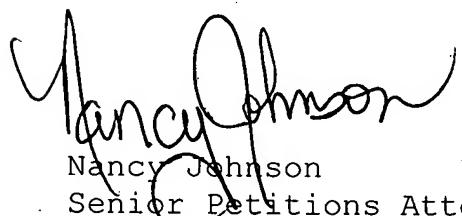
Accordingly, the Notice of Abandonment mailed March 27, 2007 is hereby **VACATED**, and the holding of abandonment is hereby **WITHDRAWN**.

The petition under § 1.181 is **GRANTED**.

No fee is required on petition under § 1.181.

Technology Center AU 3748 has been advised of this decision. The application file is, thereby, forwarded to the Technology Center's technical support staff to withdraw the holding of abandonment and for consideration by the examiner of the response of record as filed on September 25, 2006 (and resubmitted on petition filed April 9, 2007).

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3219.



Nancy Johnson
Senior Petitions Attorney
Office of Petitions